

EXHIBIT 129

**Excerpts of the 30(b)(6)
Deposition of Ike Lawrence
Epstein on Zuffa
Acquisitions (12/2/16)
(Redacted)**

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

CUNG LE; NATHAN QUARRY, JON)	
FITCH, on behalf of)	
themselves and all others)	
similarly situated,)	
)	
Plaintiffs,)	
)	
vs.)	Case No.
)	2:15-cv-01045-RFB-(PAL)
)	
ZUFFA, LLC, d/b/a Ultimate)	
Fighting Championship and)	
UFC,)	
)	
Defendant.)	
_____)	

CONFIDENTIAL

VIDEO RECORDED 30(b)(6) DEPOSITION OF ZUFFA, LLC

BY IKE LAWRENCE EPSTEIN

December 2, 2016

LAS VEGAS, NEVADA

11:29 A.M.

Reported by:
Sarah Padilla, CCR NO. 929
Job No: 47777

22 (Pages 82 to 85)

38 (Pages 146 to 149)

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<p style="text-align: right;">150</p> <p>1 promotion business.</p> <p>2 Q Did Zuffa acquire Affliction?</p> <p>3 A Yes.</p> <p>4 Q How did Zuffa come to acquire Affliction?</p> <p>5 A Well, just so we are clear, we acquired</p> <p>6 some assets from Affliction. We didn't acquire the</p> <p>7 clothing brand or the manufacturing facilities and</p> <p>8 all that stuff. [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 But we didn't acquire Affliction, the brand, the</p> <p>14 apparel brand, obviously.</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED] They were doing an</p> <p>21 event -- they'd done a couple events. They were</p> <p>22 doing an event that headlined with Josh Barnett and</p> <p>23 Fedor Emelianenko.</p> <p>24 Josh Barnett, who had tested positive for</p> <p>25 performance enhancing drugs in the past was the</p>	<p style="text-align: right;">152</p> <p>1 is there a date on this besides the print date?</p> <p>2 MR. WEILER: Yeah. I will represent for</p> <p>3 the record that this is dated October 23rd, 2008.</p> <p>4 But I can't for the life of me tell you how I know</p> <p>5 that by looking at this exhibit. For the record, a</p> <p>6 number of the comments starting at pages 2 and to</p> <p>7 page 7 of the document are dated October 23rd, 2008.</p> <p>8 (Exhibit 78 was marked.)</p> <p>9 BY MR. WEILER:</p> <p>10 Q Sir, I'd like to read you the passage from</p> <p>11 this document, the first paragraph that says "MMA</p> <p>12 Weekly reports that UFC and Affliction executives</p> <p>13 met late last month to build a formal partnership</p> <p>14 that would allow Affliction to return to the UFC as</p> <p>15 a major clothing sponsor and work with the UFC to</p> <p>16 create co-branded apparel. In exchange, Affliction</p> <p>17 would agree to cease operations as a fight promotion</p> <p>18 and allow the UFC to buy out several of their</p> <p>19 fighter contracts." Do you see where it says that?</p> <p>20 A Yes.</p> <p>21 Q Did the UFC have negotiations with</p> <p>22 Affliction in October 2008 regarding Affliction</p> <p>23 ceasing its operations as a fight promotion and</p> <p>24 becoming a sponsor of the UFC?</p> <p>25 A I don't remember the exact dates, but the</p>
<p style="text-align: right;">151</p> <p>1 subject of a prefight drug test by the California</p> <p>2 Athletic Commission. When that drug test was</p> <p>3 returned and it was positive, they refused to issue</p> <p>4 Josh Barnett -- and this happened just days before</p> <p>5 the event -- a license to participate. And as a</p> <p>6 result, Affliction canceled the event.</p> <p>7 Shortly thereafter, they contacted --</p> <p>8 their lawyer contacted me and said, you know, "We're</p> <p>9 looking to get out of this business. Would you be</p> <p>10 interested in acquiring the assets of the company?"</p> <p>11 And we said we really weren't that interested in it.</p> <p>12 And they said, "Well, would you just take over the</p> <p>13 fighter liability and fighter contracts and we'll</p> <p>14 give you the library?" And so we decided to do it.</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 Q I would like to mark as an exhibit,</p> <p>21 Exhibit 78, a document that appears to be an article</p> <p>22 published in Cage Potato MMA called "Affliction UFC</p> <p>23 Truce Falls Apart, UFC Bans Another Brand."</p> <p>24 A All right.</p> <p>25 MS. GRIGSBY: Counsel, I just want to --</p>	<p style="text-align: right;">153</p> <p>1 problem that we have with Affliction is that they</p> <p>2 were essentially advertising an MMA brand within our</p> <p>3 organization. So obviously, that didn't make any</p> <p>4 sense. We weren't going to allow them to come into</p> <p>5 our UFC events and have branding that was associated</p> <p>6 with another promotion. So we certainly had a</p> <p>7 discussion with them, "Listen, if you guys are in</p> <p>8 business of promoting MMA events, you're free to</p> <p>9 advertise anywhere in the planet you want. But</p> <p>10 you're not going to be part of our events. If</p> <p>11 you're not going to be in that business, then maybe</p> <p>12 we can work on a deal where we can work</p> <p>13 together. But we're not going to advertise a</p> <p>14 competitive brand in our own product. That makes no</p> <p>15 sense. And no business would ever do that." Those</p> <p>16 were the nature of the discussions.</p> <p>17 Q I see. Who negotiated the -- strike that.</p> <p>18 Who was the primary negotiator, if anyone,</p> <p>19 at Zuffa regarding the Affliction negotiation?</p> <p>20 A You know, once again, with a small</p> <p>21 management group, I think all of us were certainly</p> <p>22 involved in it. When I say "all of us," myself,</p> <p>23 Kirk Hendrick, John Mulkey, Lorenzo Fertitta, and</p> <p>24 Dana White. I certainly had a role in negotiating</p> <p>25 that deal because I had a relationship with the</p>

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<p>1 2 STATE OF _____) 3) :ss 4 COUNTY OF _____) 5 6 7 I, IKE LAWRENCE EPSTEIN, the witness 8 herein, having read the foregoing 9 testimony of the pages of this deposition, 10 do hereby certify it to be a true and 11 correct transcript, subject to the 12 corrections, if any, shown on the attached 13 page. 14 15 16 _____ 17 IKE LAWRENCE EPSTEIN 18 19 20 Sworn and subscribed to before me, 21 this _____ day of _____, 2016. 22 23 _____ 24 Notary Public 25</p>	<p>1 INSTRUCTIONS TO WITNESS 2 3 Please read your deposition over carefully 4 and make any necessary corrections. You should state 5 the reason in the appropriate space on the errata 6 sheet for any corrections that are made. 7 After doing so, please sign the errata sheet 8 and date it. 9 You are signing same subject to the changes 10 you have noted on the errata sheet, which will be 11 attached to your deposition. 12 It is imperative that you return the original 13 errata sheet to the deposing attorney within thirty 14 (30) days of receipt of the deposition transcript by 15 you. If you fail to do so, the deposition transcript 16 may be deemed to be accurate and may be used in court. 17 18 19 20 21 22 23 24 25</p>
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<p>1 STATE OF NEVADA) 2) Ss 3 COUNTY OF CLARK) 4 5 I, Sarah Padilla, a duly commissioned and 6 licensed court reporter, Clark County, State of Nevada, 7 do hereby certify: That I reported the taking of the 8 deposition of the witness, IKE LAWRENCE EPSTEIN, commencing 9 on Friday, December 2, 2016, at 11:39 A.M.; That prior to 10 being examined, the witness was, by me, duly sworn to testify 11 to the truth; That thereafter I transcribed my shorthand notes 12 into typewriting and that the typewritten transcript of said 13 deposition is a complete, true, and accurate record of said 14 shorthand notes. I further certify that I am not a relative 15 or employee of any attorney or counsel of any of the parties 16 nor a relative or employee of an attorney or counsel involved 17 in said action, nor a person financially interested in the 18 action; that a request [x] has [] has not been made to review 19 the transcript. 20 IN WITNESS WHEREOF, I have hereunto set my 21 hand in the County of Clark, State of Nevada, this 22nd 22 day of December. 23 24 _____ 25 SARAH PADILLA, CCR 929</p>	<p>1 E R R A T A 2 3 4 5 I wish to make the following changes, 6 for the following reasons: 7 8 PAGE LINE 9 _____ CHANGE: _____ 10 REASON: _____ 11 _____ CHANGE: _____ 12 REASON: _____ 13 _____ CHANGE: _____ 14 REASON: _____ 15 _____ CHANGE: _____ 16 REASON: _____ 17 _____ CHANGE: _____ 18 REASON: _____ 19 _____ CHANGE: _____ 20 REASON: _____ 21 22 23 _____ 24 WITNESS' SIGNATURE DATE 25</p>

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